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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,828	03/08/2001	Joseph B. Rissin		3652

7590 08/26/2004
STEPHEN E. FELDMAN, P.C.
12 East 41st Street
7th Floor
New York, NY 10017

EXAMINER

BRITTAIN, JAMES R

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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08232004

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See attached Notice of Non-Responsive Amendment


James R. Brittain
Primary Examiner
Art Unit: 3677

Response to Amendment

The reply filed on April 26, 2004 and May 27, 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Applicant states "The Examiner has indicated that claims 11-13 and 15-17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The claims have been so amended." (Remarks, page 4, lines 9-11). However, review shows that applicant has explicitly removed the limitation "generally parallel" from claim 11, line 21 and claim 15, line 18. Further, applicant has removed the term "entirely" as found in the passage "extending entirely outwardly from said base plate second surface" as recited in claim 1, line 17 from claim 11, line 11 which states "extending outwardly from said base plate second surface" and similarly has removed the term "entirely" as found in the passage "extending entirely outwardly from said second surface" as recited in claim 9, lines 14-15 from claim 15, line 10 which states "extending outwardly from said second surface". Additionally, applicant has changed the expression "said tabs being offset by ninety degrees from said fingers" as recited in claim 9, lines 15-16 to "tabs being offset by substantially ninety degrees from said fingers" (claim 15, lines 10-11) a broadening of the limitation from claim 9. The representation of applicant that "The Examiner has indicated that claims 11-13 and 15-17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The claims have been so amended." (Remarks, page 4, lines 9-11) is not the case. The indication is that "all" the limitations of the base claims and the intervening claims have been placed in claims 11 and 15, but applicant has not amended the claims in accordance with his argument and careful analysis is required to discover the differences. Applicant's

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remarks provide no indication of the existence of these differences. Applicant is being given the opportunity to amend claims 11 and 15 to be in accordance with applicant's remarks. The remarks are not descriptive of amended claims 11 and 15 for the reasons identified above and the amendment is non-responsive because applicant's statement of action indicated in the remarks is not commensurate with the claims and provides no reason to allow the claims as amended since applicant has failed to carry out the course of action identified in his remarks. Applicant is given notice that a general allegation of patentability will not comply with 37 CFR 1.111(b).

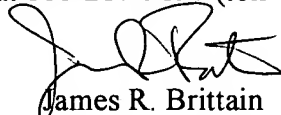
See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Brittain whose telephone number is (703) 308-2222. The examiner can normally be reached on M-F 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (703) 306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James R. Brittain
Primary Examiner
Art Unit 3677

JRB